

Exhibit A

Todd Macey

From: Todd Macey
Sent: Monday, May 12, 2008 9:57 AM
To: 'Paul Mengedoth'
Cc: 'kwd@doherty-progar.com'
Subject: RE: Hayes matter

Mr. Mengedoth,

As it currently stands, we do not represent Mr. Lambert, although it is possible that we will. It is not our decision as to whether we represent him. It is likely that he will be defended as an employee of First Chicago. However, he has certain obligations to fulfill in order to obtain that defense. To the extent that your message below indicates that we have been in contact and had repeated conversations, correspondence exchanges, etc, that is incorrect. We have made numerous telephone calls and sent multiple e-mails and other correspondences to Mr. Lambert and have received minimal response. He left one voice mail for Kevin Doherty several weeks back, and has been unresponsive since that time.

Only Mr. Lambert can decide whether he will waive service. Since we have not had an opportunity to discuss this or any issue with him, we suggest that you continue in your efforts to serve him.

Regards,
Todd Macey
tem@doherty-progar.com
312-630-9630 (p)
312-630-9001 (f)

From: Paul Mengedoth [<mailto:paul@mengedothlaw.com>]
Sent: Thursday, May 08, 2008 5:40 PM
To: Todd Macey
Subject: RE: Hayes matter

Thank you. And as a follow up to your comments during our 26f conference this past Tuesday: your firm continues to represent Jason Lambert, you have no intention to file an Answer on Mr. Lambert's behalf unless Mr. Hayes also makes personal service upon Mr. Lambert, you have previously been in telephone and email communication with Mr. Lambert, you will not permit us to telephone Mr. Lambert to effectuate personal service on him, you will not provide email contact information for Mr. Lambert, and your firm will not agree to accept service on Mr. Lambert's behalf although we mailed a form Waiver of Service to your firm for that purpose. If that is not accurate in every respect, let me know immediately.

Paul B. Mengedoth, Esq.
Mengedoth Law Firm LLC

2425 East Camelback
Suite 600
Phoenix, AZ 85016
ph: (602) 224-7878
fx: (602) 224-7879
www.mengedothlaw.com

The information transmitted by the following e-mail is intended only for the addressee and may contain confidential and/or privileged material. Any interception, review, retransmission, dissemination, or other use of, or taking of any action upon this information by persons or entities other than the intended recipient is prohibited by law and may subject them to criminal or civil liability. If you received this communication in error, please contact us immediately at (602) 224-7878, and delete the

6/3/2008

communication from any computer or network system.

From: Todd Macey [mailto:tem@doherty-progar.com]
Sent: Tuesday, May 06, 2008 12:00 PM
To: Paul Mengedoth
Subject: Hayes matter

Paul,
Following up on your question during the scheduling conference earlier, it appears as if Lambert stopped working at First Chicago on or around October 9, 2007.

Regards,
Todd Macey
tem@doherty-progar.com
312-630-9630 (p)
312-630-9001 (f)

6/3/2008